



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:  
Christian REITER et al.

Application No. 09/842,776  
Confirmation No. 4137

Filed: April 27, 2001

For: NEW METHOD FOR  
DETECTING ACID-RESISTANT  
MICROORGANISMS IN THE  
STOOL

Group Art Unit: 1645

Examiner: Albert M. NAVARRO

Atty. Docket No. 105032-991150  
(formerly 41735)

Customer No.

**\*35928\***

**35928**

PATENT TRADEMARK OFFICE

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MAY 05 2003  
TECH CENTER 1600/2900

# 15  
Linda  
5/6/03

**RESPONSE RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement mailed 19 March 2003, wherein the Examiner gave a one-month period for Response, attached hereto and provided herewith is a Petition for Extension of Time for one month, making the due date for Response 19 May 2003.

Applicant respectfully elects Group I, Claims 1-4, and 13-14, drawn to methods of detecting an acid resistant microorganism with monoclonal antibodies, classified in class 435, subclass 7.1.

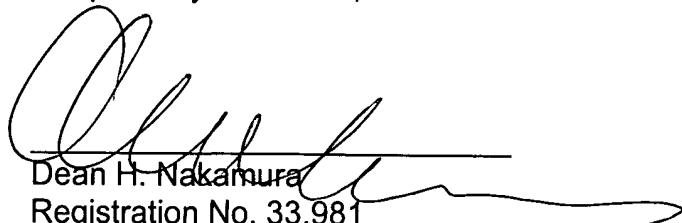
Applicant: Christian REITER et al.  
Application No. 09/842,776

**CONCLUSION**

Applicants submit that the claims pending are in condition for allowance. If any fees are found to be applicable, please charge any additional fees or make any credits to Deposit Account No. 07-1896.

Respectfully submitted,

Date: May 1, 2003



Dean H. Nakamura  
Registration No. 33,981  
GRAY CARY WARE & FREIDENRICH LLP  
1625 Massachusetts Avenue, N.W.  
Suite 300  
Washington, D.C. 20036-2247

Telephone: (202) 238-7725  
Telefax: (202) 238-7701



16498

## FILING RECEIPT

**PLEASE DATE STAMP AND RETURN YELLOW SHEET TO:**

Dean H. Nakamura  
Gray Cary Ware & Freidenrich LLP  
1625 Massachusetts Avenue, N.W.  
Suite 300  
Washington, D.C. 20036

**RECEIVED**

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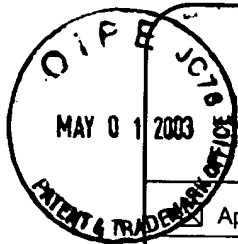
### PAPER(S) FILED ENTITLED:

1. Response to Restriction Requirement
2. Notice of Change of Address & Attorney Docket Number
3. Petition for Extension of Time (One Month)
4. Fee Transmittal
5. Check No. 535513 in the amount of \$55.00

Gray Cary Ware & Freidenrich LLP  
1625 Massachusetts Avenue, N.W.  
Suite 300  
Washington, D.C. 20036  
Telephone: (202) 238-7731  
Facsimile: (202) 238-7701

DOCKET NO.: 105032-991150 (formerly 41735)  
ATTORNEY/SEC: DNakamura/pmakle

**Date Filed: May 1, 2003**



# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 55

Complete if Known

Application Number 09/842,776  
Filing Date April 27, 2001  
First Named Inventor Christian REITER et al.  
Examiner Name Albert M. NAVARRO  
Group / Art Unit 1845  
Attorney Docket No. 105032-991150 (formerly 41735)

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METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																																																																																																																	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account:				<b>3. ADDITIONAL FEES</b> Large Entity   Small Entity																																																																																																																																																																																	
Deposit Account Number: 07-1896 Deposit Account Name: GRAY CARY WARE & FREIDENRICH LLP				<table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing request for ex parte reexam</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td>55</td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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<b>2. EXTRA CLAIM FEES</b> Total Claims: _____ * = _____ X _____ = _____ Independent Claims: _____ * = _____ X _____ = _____ Multiple Dependent: _____ X _____ = _____				<table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1202</td><td>18</td><td>2202</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>1201</td><td>84</td><td>2201</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>1203</td><td>280</td><td>2203</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>1204</td><td>84</td><td>2204</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>1205</td><td>18</td><td>2205</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> SUBTOTAL (2) (\$) 0				Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid	1202	18	2202	9	Claims in excess of 20		1201	84	2201	42	Independent claims in excess of 3		1203	280	2203	140	Multiple dependent claim, if not paid		1204	84	2204	42	** Reissue independent claims over original patent		1205	18	2205	9	** Reissue claims in excess of 20 and over original patent																																																																																																																																											
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																																																																					

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Dean H. Nakamura	Registration No. Attorney/Agent	33,981
Signature		Telephone	(202) 238-7725
		Date	May 1, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  
SEND TO: Commissioner for Patents, Washington, DC 20231.